

THE MOST HONORABLE  
BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATTHEW R. RUTH,  
Plaintiff,

v.

PATRICK GLEBE, et al.

CASE NO. 2:14-CV-01388-BHS-BWC

OBJECTION TO MAGISTRATE  
CHRISTIE'S ORDER DIRECTING  
PLAINTIFF TO FILE AMENDED COMPLAINT  
AND DENYING MOTION TO SUPPLEMENT  
(Request New Magistrate Be Appointed)

I am now in walla-walla, close custody, west complex  
box west 118-1. This is just like being in segregation.

I have to write this on letter paper because I  
am not being provided plain typing paper. I am not  
allowed a bic pen, so I must write this with a  
flimsy small segregation pen. This facility does

Not allow regular PENS, or Tooth Brushes because inmate make shanks with them. I have been here almost two-weeks and was just given the Magistrate's two orders dated 4-19-16 & 4-20-16, I object to both. I was just given my chain boxes. Most of my legal work is being held at Stafford Creek Corrections Center because they want me to send them \$75.00 to ship it here to Walla-Walla. I am indigent and have no job, if I do not send the money they will destroy my legal work. (Exhibit one 90 day Notice). In fact, magistrate Christel has given me until May 10th to reply to the first TRO Response, but I do not have that



THE RESPONSE TO REPLY TO, IT IS AT  
STAFFORD CREEK. WITH MY HABEAS CORPUS LEGAL  
WORK AND THE REST OF THIS CIVIL LEGAL PAPERS,  
EXHIBITS, ETC.... IN FACT I HAD THE 2nd AMENDED  
COMPLAINT MOSTLY TYPED UP BEFORE THE 3-6-16  
SEGREGATION INCIDENT, IT IS STILL IN THE STAFFORD  
PROPERTY. CHAIN BUSES LEAVE STAFFORD EVERY  
MONDAY TO SHELTON, AND FROM SHELTON EVERY  
WEDNESDAY. THIS COURT SHOULD ORDER THEM  
TO SEND MY LEGAL PROPERTY ON THE  
CHAIN BUS IF THEY ARE NOT GOING TO GIVE  
IT TO ME BECAUSE I DO NOT, AND WILL NOT  
HAVE \$75.00. I CANNOT MEET THE MAY 10TH  
DEADLINE. I WAS JUST GIVEN AN 8 DIBBLES

Response to My Second TRO, although, they  
 Make me sign for it on the chain BUS  
 ON 4-4-16. I did Not get it until 4-29-16.  
 I had no access to ANY of My legal Property  
 from 3-29-16 until 4-29-16. I am on the Law  
 Library list for 5-3-16, the first time I have had  
 Law Library access since 3-5-16, despite My  
 best efforts.

### OBJECTIONS TO ORDERS TO FILE AMENDED COMPLAINT

This is the second Amended Complaint, the  
 first was ordered by the court, the second  
 I got Permission to file to add the  
 new claims stemming from the Brutal

Retaliation of the New Superintendent & S.I.  
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THIS COURT MAY REMEMBER A U.A. WAS FABRICATED  
AS DIRTY AGAINST ME & I WAS PLACED WITH NO  
JUSTIFICATION OR NO PEN, PAPER, AND BOOK  
RESTRICTIONS IN SEG. MAKING ME MISS LEGAL  
DEADLINES, ALL OUT OF RETALIATION FOR EXERCISING  
MY CONSTITUTIONAL RIGHTS. THIS COURT GAVE  
ME UNTIL 3-21-16 TO MEET THE SECOND  
AMENDED COMPLAINT DEADLINE.

EVERYDAY THE DEFENDANTS SAW ME WORK  
ON THE AMENDED COMPLAINT & MY TRAVERSE.  
THEN ON 3-6-16 I WAS SET UP AND PLACED IN  
SEG AGAIN AND THEN TRANSFERRED HERE TO  
CLOSED CUSTODY WALLA-WALLA OUT OF PURE  
RETALIATION & ACTIVE INTERFERENCE.

The Magistrate Judge's Facts are an objectively unreasonable determination of the facts & contrary to clearly established Federal Law & this most Honorable Judge Settle should reject the order directing me to re-file my second Amended complaint and allow for filing the complaint I already filed. My second Amended complaint is 45 not 47 pages.

The magistrate incorrectly claims only 2 pages of my 275 page filing deal with my legal claims, and do not link defendants to alleged constitutional violations. What? This makes no sense, First of all pages 1-18 are exactly the same from the first 22 page Amended complaint.



Please read pages 1-2, I list all constitutional Amendments & doctrines violated, the pages 3-45 I show what each defendant did, how it violated my specific constitutional rights, and what prejudice ensued. This court accepted the first 22 page Amended complaint, what is different now?

In fact half of Page 19 is from the ~~first~~ Amended complaint. The only difference starts on Page 19, under the heading:  
"Amended complaint & DEFENDANTS"

From page 19 to 45 I list exactly what each defendant did, what rights were violated, how the action is connected to my rights, and what injury was suffered.

The magistrate Judge IS 100% wrong,  
 My legal claims are not merely two pages  
 of my complaint.

Next, the magistrate takes issue with my retaliation  
 claim regarding my marriage application not  
 being processed. This was already accepted  
 and set for pretrial setting, and the  
 AAG filed an answer on this, in the first  
 amended complaint. This claim IS not new!  
 It IS a clear cut Retaliation claim against  
 the Defendants. They refused to treat me  
 like other offenders in DOC Policy 500.100 &  
 500.200 by processing my application, although,  
 I met all requirements, this was done out



Pure retaliation because me & Ms. Kain  
Exercised our 1st Amendment Rights against  
the defendants, grieving, appealing, and filing  
this law suit. The defendants are especially  
upset about our success in social media lately  
about the Department of Corruption.

I do not know how Magistrate Christel  
PS just now recognizing the retaliation / marriage  
claim? I do not even understand why she  
mentioned it, especially, why did Magistrate  
Christel mischaracterize the claim? The  
Magistrate also conflates my motion for  
extension with my amended complaint and  
talks down to a Pro Se inmate. see page 3,  
9 of 15

Judge Christel is clearly biased towards me and I ask that a new magistrate is appointed to my case. If Judge Christel has such a hard time understanding my claims, then this means I do not have the ability to articulate my claims & she should have appointed me counsel.

Next, magistrate Christel alleges that for those reasons I have not complied with FRCP 8, but in fact I have. These issues are complex and are as concise and direct as I know how to make them, I am not an attorney.



Next, Magistrate Christel even ordered me to not include exhibits in my complaint. This is wrong. I have a right to add exhibits to my complaint, and this court never said anything about it before. She claims I can only present evidence in response to dispositive motions filed by the defendants. This is wrong, contrary to clearly established law.

Next, Magistrate Christel states the court will screen the 3rd amended complaint to determine whether it contains factual allegations linking each defendant to the alleged violation. Magistrate Christel

Failed to see that I clearly did this  
 in the 2nd Amended Complaint, so how is  
 me re-writing it a third time going to be  
 any different? Magistrate Christel is just  
 prejudiced & biased against Pro Se inmates  
 suing WDOC. Magistrate Christel is  
 looking to dismiss my serious & factual  
 complaint.

Next, my last Amended Complaint exceeded  
 20 pages. However, now for some reason Magistrate  
 Christel takes exception. I ask that Judge  
 SETTLE allows me to file the 45 Page  
 Amended Complaint, there is good cause, the  
 extreme & violent retaliation lasted for  
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Four years at Stafford Creek & there  
 is no way possible for me to fit all of  
 it in 20 pages. Please allow the 45 page  
 complaint. I have no access to a type  
 writer. I am left handed. I have to use  
 the same flimsy seg. pen. I do not even  
 have access to plain white paper as of  
 now.

Next, the magistrate denied my supplement w/ exhibits.  
 I am in prison & the grievances for exhaustion &  
 other evidence flows in at different times. Plus,  
 the nature of the retaliation at Stafford Creek  
 was that the defendants kept retaliating &  
 actively interfering with my rights & legal access.

Some was so severe that I have to document  
 it & file new exhibits proving my claims.  
 I have more right now proving defendant  
 Martinez's retaliation & that J. Thompson and  
 Cos Jolly are liars who lied to this  
 court & MS. DPBble. I do not see why  
 I cannot file it, the court accepted  
 this type of supplement in the past.

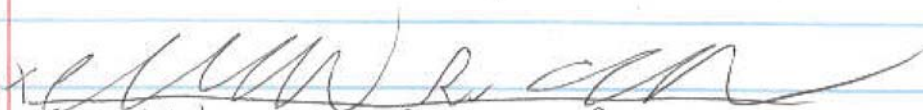
### CONCLUSION

Please allow my second amended complaint  
 to be filed; order Stafford Creek to send me my  
 property; give me more time to file the TRO  
 Reply, starting from when I get my property;  
 Appoint a new fair & unbiased magistrate.



Respectfully submitted,

THIS second day of MAY 2016

  
MATTHEW R. RUTH, Prose

Washington state Penitentiary  
1313 NE 13th  
Walla-Walla WA 99362

P.S. J. THOMPSON & S. BROWN did both  
mess up the filing of my TRaverse  
TO the SEATTLE division. maybe this  
was done to my Amended complaint?  
I do not think so because it came  
Back in order & KRISTINE A. HAIN  
Read it ON the internet. The Traverse  
was all out of order & intentionally  
messed up. KRISTINE said she read  
the 2ed Amended complaint.

EXHIBIT  
ONE





STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**  
OFFICE OF CORRECTIONAL OPERATIONS  
**STAFFORD CREEK CORRECTIONS CENTER**  
191 Constantine Way, MS WA-39 - Aberdeen, Washington 98520  
(360) 537-1800  
FAX: (360) 537-1807

To: *Ruth*

DOC *879492*

Date: *3-31-16*

**RE: 90 Day Notice**

The Stafford Creek Correction Center Property Room is currently storing personal property for you.

If you want this property mailed to you, send a money order or cashiers check for the amount of \$ *75.00* to the address below.

If you do not contact the Stafford Creek Corrections Center Property Room, your property will be donated or destroyed 90 days after the date of this notice. Please put Postage Account Only on the money order.

Stafford Creek Correction Center  
**Attn: Property Room Sergeant**  
191 Constantine Way  
Aberdeen, WA 98520

**NO FURTHER NOTICE WILL BE GIVEN**

Sincerely,

Property Staff  
SCCC

Cc: Offender File  
Office File

X

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